

COURT EXHIBIT

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U.S. DISTRICT COURT E.D.N.Y.

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

★ -X AUG 01 2011 ★

RICHARD ALFARO,

Plaintiff,

LONG ISLAND OFFICE
VERDICT SHEET
06-CV-1470 (JS) (WDW)

-against-

THE TOWN OF SOUTHAMPTON,

Defendant.

-----X
SEYBERT, District Judge:

< < < **ALL JURORS MUST AGREE ON THE ANSWERS TO ALL QUESTIONS** > > >

According to the principles of law as charged by the Court and the facts as you find them, please answer the following questions:

1. Did Plaintiff prove that the below-named businesses were "similarly situated" to Plaintiff's business?

A. Loper's Equipment	YES	<input checked="" type="checkbox"/>	NO	_____
B. Hampton Brake and Muffler	YES	<input checked="" type="checkbox"/>	NO	_____

If your answers to question 1, parts A & B are all "NO," you have found a verdict in favor of Defendant. In that event, please cease deliberations, have the foreperson sign and date the Verdict Sheet and return to the courtroom.

If your answer to any part of question 1 is "YES," please answer question 2.

2. Did Plaintiff prove that Defendant Town of Southampton singled out the Plaintiff for selective treatment with regard to the decision to pursue, obtain and execute the search warrant, compared to the similarly situated business(es)?

YES ☒

NO ☐

If you answer to question 2 is "NO," you have found a verdict in favor of Defendant. Please cease deliberations, have the foreperson sign the Verdict Sheet and return to the courtroom.

If your answer to question 2 is "YES," please answer question 3.

3. Did Plaintiff prove that the decision of the Town to pursue, obtain and execute a search warrant against Plaintiff was not based on a legitimate government policy?

YES ☒

NO ☐

If you answer to question 3 is "NO," you have found a verdict in favor of Defendant. Please cease deliberations, have the foreperson sign the Verdict Sheet and return to the courtroom.

If your answer to question 3 is "YES," please answer question 4.

4. Did Plaintiff prove that the Town Attorney ratified or adopted the decision of Stephen Frano to pursue, obtain and execute a search warrant?

YES



NO

If your answer to question 4 is "NO," you have found in favor of Defendant. Please cease deliberations, have the foreperson sign and date the Verdict Sheet and return to the courtroom.

If your answer to question 4 is "YES," you have found a verdict in favor of Plaintiff against Defendant. In that event, please answer the damages questions.

DAMAGES

5. Please state the total amount of compensatory damages, if any, you award Plaintiff to fairly compensate him for any injury he actually sustained as a result of Defendant's conduct.

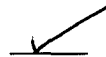
\$ 344

If you have not awarded compensatory damages, you must award the Plaintiff nominal damages in the amount of one dollar.

6. Do you decline to award compensatory damages and award Plaintiff nominal damages in the amount of one dollar?

YES

NO



Foreperson, please sign and date the verdict sheet and advise the Court by note that you have reached a verdict and are ready to return to the courtroom to announce your verdict.


FOREPERSON

Dated: August 1, 2011
Central Islip, New York